

REMARKS

This is in response to the Office Action mailed on January 14, 2004. In the Office Action, (i) the claims 41 and 43 were objected to; (ii) claims 1-9, 11-22, 24-25 and 40-49 were rejected under 35 U.S.C. §103(a); and (v) claims 10, 23, 26, and 50-62 were allowed.

Reexamination and reconsideration of this case is respectfully requested in view of the amendments made herein and the following remarks.

Claims 1-9, 11-22, 24-25, and 40-62 have been amended by this response. New claims 63-69 have been added. Claims 27-39 were previously canceled without prejudice. Claims 1-26 and 40-69 remain at issue in the patent application.

Of the claims remaining at issue, claims 1, 10, 13, 23, 26, 40, 46, and 48 are independent claims.

Applicant believes that no new matter has been added by this response.

I. ALLOWABLE SUBJECT MATTER

Applicant acknowledges that claims 10, 23, 26, and 50-62 have been indicated as being allowed. Applicant respectfully thanks the Examiner for such indication.

Applicant has amended dependent claims 50-62 to correct a grammatical error in the preambles of these dependent claims. The comma after the word "wherein" has been moved to precede it.

This amendment to dependent claims 50-62 is not made for reasons related to patentability and the Applicant believes claims that these claims are still in condition for allowance.

II. CLAIM OBJECTIONS

On page 2 of the Office Action, Claims 41 and 43 were objected to. Claims 41 and 43 depend from the same claim and have the same limitations.

Applicant has amended the dependency of claim 43 from "40" to --42-- so that claims 41 and 43 are dependent from different claims.

Applicant respectfully submits that this amendment now makes this objection moot and respectfully requests its withdrawal.

III. CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

"To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)" [MPEP § 2142; 8th Edition, Rev. 1, Feb. 2003, Pg. 2100-124].

Applicant has amended independent claims 1, 40, 46, and 48 to clarify Applicant's claimed invention. Applicant has amended

claim 13 into independent form and amended it to clarify Applicant's claimed invention.

A. Claims 1-9, 11-22, and 24-25; Gaio and Jones

On page 3 of the Office Action, Claims 1-9, 11-22, and 24-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,901,263 issued to Gaio, et al (Gaio) in view of U.S. Patent No. 6,364,709 B1 issued to Jones (Jones). Applicant respectfully traverses this rejection.

Regarding independent claim 1, Applicant respectfully submits that the combination of Gaio and Jones does not disclose a "push-actuator". Moreover, Applicant respectfully submits that the combination of Gaio and Jones does not disclose a "push-actuator **to move inward into the fiber optic module** and release the fiber optic module from a cage assembly" as recited in amended independent claim 1. (emphasis added). [Claim 1 as amended, lines 3-5].

Gaio's bail 102 does not disclose a "push-actuator". Gaio's "bail 102 is rotatable about an axis passing through hinge 108 and is kept in place by inclined plain 106 and guide track 110. Bail 102 rotates about hinge 108 between a locked and unlocked position." [Gaio, Col. 3, lines 35-38]. Gaio's bail 102 is not disclosed as being moved inward to release a fiber optic module.

The Office Action alleges that "the latch disclosed by Gaio et al can be engaged and disengaged by pushing the latch from the lock or the unlock position." [Office Action, page 3, lines 8-9]. Applicant respectfully disagrees.

The latest Office Action clarifies that "moving [Gaio's] bail latch from a locked and unlocked position, it would require a pushing force to push the bail latch up or down depending on the orientation of the module." [Office Action, page 8, lines 7-8]. However, Gaio does not disclose Gaio's bail 102 as being moved inward into Gaio's optical link module 2 in order to release it. Gaio only discloses Gaio's "Bail 102 rotat[ing] about hinge 108 between a locked and unlocked position." [Gaio, Col. 3, lines 37-38].

Neither Gaio nor Jones, nor their combination disclose "a push-actuator **to move inward into the fiber optic module** and release the fiber optic module from a cage assembly" as recited in amended independent claim 1. (emphasis added). [Claim 1 as amended, lines 3-5].

Moreover, Applicant respectfully submits that there is not a reasonable expectation of success in combining together Gaio's optical link module 2 with Jones's SFP metal cage 1. That is, Gaio's optical link module 2 is not compatible with Jones's SFP metal cage 1.

Gaio's retaining clips 104 are located in Gaio's side walls 30,32 of Gaio's optical link module 2 as illustrated in Gaio's Figure 1. As illustrated in Jones' Figure 1, Jones's sidewalls 2a and 2b of Jones's SFP metal cage 1 do not disclose any opening to mate with Gaio's detents 104' of Gaio's retaining clips 104.

Jones only discloses a soleplate 5 with a central inward tab 52 having an opening in a base of Jones's SFP metal cage 1. Jones does not disclose two openings in sidewalls of Jones's SFP metal cage 1 that Gaio's detents 104' of Gaio's retaining clips 104 can mate with. Thus, Gaio's optical link module 2 is not compatible

with Jones's SFP metal cage 1 and could not be successfully engaged therein.

"Evidence showing there was no reasonable expectation of success may support a conclusion of nonobviousness. *In re Rinehart*, 531 F.2d 1048, 189 USPQ 143 (CCPA 1976)" [MPEP § 2143.02, 8th Edition, Rev. 1, Feb. 2003, Pg. 2100-128].

Additionally in order to make Gaio's optical link module 2 compatible with Jones's SFP metal cage 1, significant modifications would need to be made to it.

It is not a proper ground of rejection when the "suggested combination of references would require a substantial reconstruction and redesign of the elements shown in [the primary reference]." [MPEP § 2143.01, 8th Edition, Rev. 1, Feb. 2003, Pg. 2100-127 citing *In re Ratti*, 270 F2d. 810 at 813, 123 USPQ 349 at 352 (C.C.P.A. 1959)].

Thus for the foregoing reasons, Applicant respectfully submits that Gaio and Jones does not make obvious Applicant's independent claim 1.

Regarding dependent claim 8, Applicant has amended claim 8 for the purpose of clarification. The Office Action admits that "Gaio et al. and Jones fails to disclose two actuators." [Office Action, Page 4, line 13]. However the Office Action asserts that this is obvious to one of ordinary skill in the art. The Office Action reasons that "both of the actuators are to perform the same purpose of disengaging the optical fibers" (sic) [Office Action, page 4, lines 16-17]. The Office Action then relies on legal precedent and states that "it has been held that mere duplication of elements of essential working parts of a device involves only

routine skill in the art. *St. Regis Paper Co. vs. Bemis Co.*, 193 USPQ 8." [Office Action, page 4, lines 17-18].

As recited in claim 8, the push-actuator and the second actuator are to release the fiber optic module from the cage assembly and do not disengage an optical fiber as is alleged by the Office Action.

Moreover, the push-actuator and the second actuator are not mere duplicate elements in claim 8. The second actuator includes "one or more ramps". The Office Action seems to overlook this limitation in claim 8.

"As discussed in MPEP § 2144, if the facts in a prior legal decision are sufficiently similar to those in an application under examination, the examiner may use the rationale used by the court."

Applicant respectfully submits that the facts in *St. Regis Paper Co. v. Bemis Co.* 193 USPQ 8 (Court of Appeals, Seventh Circuit 1977) are not substantially similar to the facts in Applicant's patent application and the rejection of Applicant's claims in the Office Action based on Gaio and Jones.

St. Regis Paper Co. involved multiple layers of material coupled in parallel together to form a bag. The prior art bag used to make obvious Appellant's bag in *St. Regis Paper Co.* had only a single layer. *St. Regis Paper Co.* did not address elements that differed. As discussed previously, the push-actuator and the second actuator are different in that the second actuator includes "one or more ramps".

Moreover, "[i]f the applicant has demonstrated the criticality of a specific limitation, it would not be appropriate to rely solely on case law as the rationale to support an obviousness rejection." [MPEP § 2144.04, Original 8th Edition,

Aug. 2001; page 2100-130]. The push-actuator and the second actuator are important elements of claim 8, in that they are the elements to release the fiber optic module from the cage assembly.

Thus for these and the foregoing reasons, Applicant respectfully submits that Gaio and Jones does not make obvious Applicant's dependent claim 8.

Regarding claim 13, now amended into independent form, the Office Action states that "Gaio et al also discloses a tab that helps to determine which module in the assembly is to be removed and assists in the removal of the module." [Office Action, page 3, lines 5-6]. However, Gaio's tab 102' is not used as a pull-tab to pull out Gaio's optical link module 2. Gaio's "tab 102', as shown in [Gaio's] FIG. 2, may be applied to bail 102 to ease the use of the bail." [Gaio, Col. 3, lines 60-62].

Moreover, Gaio's tab 102' is merely a non-rigid strip of adhesive tape. Gaio's tab 102' is "formed of a self-adhesive sheet which is wrapped around the bail 102 so that the sheet adheres to the bail and to an opposing portion of the tab 102'." [Gaio, Col. 3, lines 49-51].

Applicant respectfully submits that the combination of Gaio and Jones does not disclose "a **rigid** pull-tab **rigidly coupled** to the fiber optic module". (emphasis added). [Claim 13 as amended, lines 10-12].

Thus for these and the foregoing reasons, Applicant respectfully submits that Gaio and Jones does not make obvious Applicant's independent claim 13.

Regarding other dependent claims, the Office Action makes further statements that because applicant has claimed the invention in different ways, types or more than one location in the dependent claims that it's a non-critical feature and therefore it would have been obvious to a person of ordinary skill in the art. Applicant respectfully disagrees.

For example regarding claims 3-4, 11, and 15-17, the Office Action admits that "Gaio et al. and Jones fail to specifically disclose a push button or a kick actuator as the push actuator." [Office Action, page 4, lines 2-3]. But the Office Action continues stating that "since applicant has claimed two different types of push-actuators, it is a non-critical feature of the invention. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have used any desirable and optimal push actuator." [Office Action, page 4, lines 3-6]. Applicant respectfully disagrees.

"A fundamental principle contained in 35 U.S.C. 112, second paragraph is that applicants are their own lexicographers. They can define in the claims what they regard as their invention essentially in whatever terms they choose so long as the terms are not used in ways that are contrary to accepted meanings in the art. Applicant may use functional language, alternative expressions, negative limitations, or any style of expression or format of claim which makes clear the boundaries of the subject matter for which protection is sought. As noted by the court in *In re Swinehart*, 439 F.2d 210, 160 USPQ 226 (CCPA 1971), a claim may not be rejected solely because of the type of language used to define the subject matter for which patent protection is sought." [MPEPS 2173.01, 8th Edition, Rev. 1, Feb. 2003, Pg. 2100-198].

Moreover, a patent application may disclose one or more embodiments of an invention. “[A] claim may include two or more of the disclosed embodiments within the breadth and scope of [its] definition (and thus be designated a generic or genus claim).” [MPEPS 806.04(e), 8th Edition, Rev. 1, Feb. 2003, Pg. 806-41]. “A claim which is limited to a single disclosed embodiment or species is analyzed as a claim drawn to a single embodiment or species, whereas a claim which encompasses two or more embodiments or species within the scope of the claim is analyzed as a claim drawn to a genus. See also MPEP § 806.04(e)(e).” [MPEPS 2163, 8th Edition, Rev. 1, Feb. 2003, Pg. 2100-166]. Just because an applicant discloses more than one embodiment of an invention, does not lead to the conclusion that an element is a non-critical feature of the invention and is therefore obvious.

Additionally, rejected claims 2-9, and 11-12 depend directly or indirectly from independent claim 1. Rejected claims 14-22 and 24-25 depend directly or indirectly from independent claim 13.

Applicant believes that it has placed independent claims 1 and 13 in condition for allowance such that dependent claims depending there from with further limitations are also in condition for allowance.

Thus for the foregoing reasons, Applicant respectfully submits that independent claims 1 and 13, and dependent claims 2-9, 11-12, 14-22, and 24-25 are not made obvious by the combination of Gaio and Jones.

B. Claim 5; Gaio, Jones and Branch

On page 5 of the Office Action, Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gaio in view of Jones and in further view of U.S. Patent 6,335,869 B1 issued to Branch, et al. (Branch). Applicant respectfully traverses this rejection.

The prior remarks regarding why Gaio and Jones should not be combined together are incorporated here by reference.

Regarding dependent claim 5, Applicant has amended claim 5 to clarify that the one or more grooves are included as part of the push-actuator in order that the push-actuator can slideably couple to the fiber optic module.

The Office Action alleges that Branch discloses "grooves (40) in the cage assembly for the module to slide into". [Office Action, page 5, lines 13-14]. Applicant respectfully disagrees.

Branch discloses "protrusions 40 [to] form positioning or stop surfaces 44 which may be engaged by a circuit board 18." [Branch, col. 6, lines 1-2]. Branch's protrusions 40 are not grooves. Moreover, Branch's protrusions 40 do not teach a slideable coupling. Branch's protrusions 40 only disclose a stop or support surface.

Thus, the combination of Gaio, Jones, and Branch does not disclose "the push-actuator include[ing] one or more grooves to slideably couple to the fiber optic module" as recited in amended claim 5. [Claim 5, lines 3-4].

Additionally, the motivation for combining Branch with Gaio and Jones as stated by the Office Action is not convincing. The Office Action first makes an assumption that "if there are grooves in the cage assembly there must be grooves in the pull actuator as well in order for the grooves to lock in place." [Office Action, page 5, lines 14-15]. However, Branch discloses "protrusions 40"

and not grooves as the Office Action otherwise alleges. Thus, the motivation as stated by the Office Action is faulty.

"[T]he examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." [MPEP § 706.2(j), Original 8th Edition, Aug. 2001, Pg. 700-31; citing *Ex Parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App & Inter. 1985)].

Moreover, claim 5 depends directly from independent claim 1. Applicant believes that it has placed independent claim 1 in condition for allowance such that dependent claims depending therefrom with further limitations are also in condition for allowance.

Thus for the foregoing reasons, Applicant respectfully submits that dependent claim 5 is not made obvious by the combination of Gaio, Jones, and Branch.

C. Claims 40-49; Tomita, Gaio, and Jones

On page 5 of the Office Action, claims 40-49 were rejected to under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,159,026 issued to Tomita (Tomita) in view of Gaio and Jones. Applicant respectfully traverses this rejection.

The prior remarks regarding why Gaio and Jones should not be combined together are incorporated here by reference.

Regarding independent claims 40, 46, and 48, Applicant has amended these independent claims to clarify the claimed invention.

Applicant has amended independent claim 40 to clarify that the means for disengaging is coupled to the fiber optic module. Applicant has further amended dependent claims 41-44 to clarify that the means for slideably engaging, means for withdrawing,

means for slideably engaging, and means for indicating are coupled to the fiber optic module, respectively.

Applicant has amended independent claim 46 to clarify that the push button and the pull-tab are elements of the fiber optic module and not the cage assembly.

Applicant has amended independent claim 48 to clarify that the fiber optic module includes the push button.

Regarding independent claim 40, the Office Action alleges that "Tomita discloses a fiber optic module with a circuit board that slides into the housing with a push button to eject the modules from the housing." [Office Action, page 5, lines 21-22]. Applicant respectfully disagrees.

Applicant respectfully submits that Tomita does not disclose a fiber optic module. Tomita only discloses an electrical card P such as a PC card, a compact flash card, or other memory card. [See Tomita, Col. 1, lines 6-7]. As admitted by the Office Action, "Tomita fails to specify the function of the circuit board to be able to convert optical signals into electrical signals or electrical signals into optical signals." [Office Action, page 6, lines 1-2]. Therefore, Tomita does not disclose a fiber optic module.

Moreover, Tomita does not disclose a push button being a part of Tomita's electrical card P. Tomita's push button 6A, 54A is a part of Tomita's electrical card connector and not Tomita's electrical card P. That is, Tomita does not disclose a "**fiber optic module including** the push button" as is recited in Applicant's claim 40 as amended. (emphasis added) [Claim 40, lines 6-7].

The Office Action alleges that "Gaio et al. also discloses a fiber optic module comprising a printed circuit board disengaging by sliding the module on an incline plane". [Office Action, page 6, lines 2-4]. Applicant respectfully disagrees. Applicant respectfully submits that Gaio does not disclose sliding Gaio's optical link module 2 on an incline plane to disengage a printed circuit board or the module itself.

Applicant respectfully submits that neither Gaio nor Jones disclose a "push-button" that can be depressed.

Gaio's bail 102 does not disclose a "push-button". Gaio's "bail 102 is rotatable about an axis passing through hinge 108 and is kept in place by inclined plain 106 and guide track 110. Bail 102 rotates about hinge 108 between a locked and unlocked position." [Gaio, Col. 3, lines 35-38].

Therefore, the combination of Tomita, Gaio, and Jones does not disclose "means for disengaging the fiber optic module from a cage assembly by depressing a push button, the fiber optic module including the push button" as recited in amended claim 40. [Claim 40 as amended, lines 5-7].

For the foregoing reasons, Applicant respectfully submits that independent claim 40 is not made obvious over the combination of Tomita, Gaio, and Jones.

Regarding independent claim 46, the Office Action alleges that "Tomita discloses pushing a push button to release a latch". [Office Action, page 6, line 15]. However as previously discussed, Tomita does not disclose a fiber optical module, nor a push button being a part of Tomita's electrical card P. Applicant has amended claim 46 to clarify that the push-button is a part of Applicant's fiber optic module.

Thus, Applicant respectfully submits that Tomita does not disclose "pushing a push-button of the fiber optic module to release a latch" as recited in amended claim 46. [Claim 46 as amended, lines 3-4].

As previously discussed, Applicant respectfully submits that neither Gaio nor Jones disclose a "push-button" that can be pushed.

The Office Action admits that Tomita "fails to disclose a pull tab to further disengage the optical fiber module from the cage assembly." [Office Action, page 6, lines 16-17]. However, the Office Action alleges that "Jones discloses push and pull tabs around the entire cage assembly to close the cage around the optical module." [Office Action, page 6, lines 17-18]. Applicant respectfully disagrees.

Applicant respectfully submits that Jones does not disclose a pull tab. Jones discloses "sidewalls 2a and 2b [with] two spring tabs 24a, 24b proximate a front end thereof". [Jones, Col. 2, lines 25-26, see Jones's FIG. 2]. Jones also discloses a top plate 4 [with] spring tabs 41 at a front part thereof." [Jones, Col. 2, lines 60-61]. Jones further discloses "a central inward tab 52 and two grounding tabs 51a and 51b on opposite sides of the central tab 52". [Jones, Col. 3, lines 14-15]. Jones discloses a "tab 73 engages the notch 25 of the first sidewall 2a, thus securing the first sidewall 2a and the outer panel 6 together." [Jones, Col. 3, lines 8-10, see Jones's FIG. 5]. However, none of Jones's tabs are pulled to disengage a fiber optic module from Jones's metal cage 1.

Moreover, none of Jones's tabs are disclosed as a part of a fiber optic module. Applicant has amended claim 46 to clarify that the pull-tab is a part of Applicant's fiber optic module.

The Office Action states that "Applicant discloses more than one possible location for the pull-tab to be located, thus it is also a non-critical feature of the invention." [Office Action, page 6, lines 18-19]. Applicant respectfully disagrees.

A patent application may disclose one or more embodiments of an invention. "[A] claim may include two or more of the disclosed embodiments within the breadth and scope of [its] definition (and thus be designated a generic or genus claim)." [MPEP § 806.04(e), 8th Edition, Rev. 1, Feb. 2003, Pg. 806-41]. "A claim which is limited to a single disclosed embodiment or species is analyzed as a claim drawn to a single embodiment or species, whereas a claim which encompasses two or more embodiments or species within the scope of the claim is analyzed as a claim drawn to a genus. See also MPEP § 806.04(e) (e)." [MPEP § 2163, 8th Edition, Rev. 1, Feb. 2003, Pg. 2100-166]. Just because an applicant discloses more than one embodiment of an invention, does not lead to the conclusion that an element is a non-critical feature of the invention and thus its obvious.

Thus, Applicant respectfully submits that Jones does not disclose "pulling a pull-tab of [a] fiber optic module to disengage the fiber optic module from [a] cage assembly" as recited in Applicant's amended claim 46. [Claim 46 as amended, lines 5-6].

For the foregoing reasons, Applicant respectfully submits that independent claim 46 is not made obvious over the combination of Tomita, Gaio, and Jones.

Regarding independent claim 48, as previously discussed with respect to claim 46, the Office Action alleges that "Tomita discloses pushing a push button to release a latch". [Office

Action, page 6, line 15]. However as previously explained, Tomita does not disclose a fiber optical module, nor a push button being a part of Tomita's electrical card P. Applicant has amended claim 48 to clarify that the push-button is a part of Applicant's fiber optic module.

As previously discussed, Applicant respectfully submits that neither Gaio nor Jones disclose a "push-button" that can be pushed.

Thus, Applicant respectfully submits that the combination of Tomita, Gaio, and Jones does not disclose a "fiber optic module including a push button" and "checking whether the push button of the fiber optic module is fully extended out from the fiber optic module" as recited in independent claim 48 as amended. [Claim 48, lines 4-5, 9-11].

The Office Action alleges that "Tomita discloses inserting circuit board into a housing and pushing the circuit board into the housing" but admits that "Tomita fails to disclose pushing the circuit board into a cage assembly". [Office Action, page 7, lines 3-5]. However, Tomita discloses an electrical card P such as PC cards, compact flash cards, or other type of memory card and not a bare printed circuit board. Tomita does not disclose a structure or method of how the electrical card P is formed.

The Office Action further asserts that "Jones discloses a cage assembly to be connected to an optical module that will ease the installation of a printed circuit board." [Office Action, page 7, lines 5-6]. Applicant respectfully disagrees.

Jones discloses a metal cage 1 with a one piece design and two types of legs to enhance assembly of its metal cage to a printed circuit board. "The first type is compliant legs [22] that can be assembled through a board. The second type is piggy

legs [23] which does not go through the board." [Jones, Col. 1, lines 40-43; see also Col. 2, lines 51-69]. Thus, Applicant respectfully submits that the purpose of Jones's metal cage 1 is not to ease installation of a printed circuit board therein and therefore, the reasoning provided by the Office Action for combining Jones with Tomita is faulty.

"[T]he examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." [MPEP § 706.2(j), Original 8th Edition, Aug. 2001, Pg. 700-31; citing *Ex Parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App & Inter. 1985)].

Thus for the foregoing reasons, Applicant respectfully submits that independent claim 48 is not made obvious by the combination of Tomita, Gaio, and Jones.

Rejected claims 41-45 depend directly or indirectly from independent claim 40.

Rejected claim 47 depends directly from independent claim 46.

Rejected claim 49 depends directly from independent claim 48.

Applicant believes it has placed independent claims 40, 46, and 48 in condition for allowance such that dependent claims 41-45; 47; and 49 depending respectively therefrom with further limitations are also in condition for allowance.

Thus for the foregoing reasons, Applicant respectfully submits that dependent claims 41-45, 47, and 49 are not made obvious by the combination of Tomita, Gaio, and Jones.

For the reasons set forth above, Applicant respectfully requests the withdrawal of all the 35 USC 103(a) rejections of claims 1-9, 11-22, 24-25, and 40-49 based on the combination of Gaio and Jones; and Tomita, Gaio, and Jones.

VI. NEW CLAIMS

Applicant has added new dependent claims 63-69.

New dependent claims 63-64, and 67-69 depend directly or indirectly from independent claim 1.

New dependent claims 65-66 depend directly or indirectly from independent claim 10.

Independent claim 10 is indicated as being allowed and thus claims 65-66 depending there from with further limitations should be allowable as well.

Applicant believes that it has now placed independent claim 1 in condition for allowance such that dependent claims 63-64, and 67-69 depending there from with further limitations are also in condition for allowance.

Therefore, Applicant respectfully submits that new dependent claims 63-69 are also in condition for allowance.

V. CLAIM AMENDMENTS

Applicant has amended claims 1-9, 11-22, 24-25, and 40-62 by this response.

As discussed previously, Applicant has amended independent claims 1, 40, 46, and 48 to clarify the claimed invention.

Claim 5, as previously discussed, was also amended to clarify Applicant's claimed invention.

As discussed previously, Applicant has amended claim 13 into independent form including the limitations of the unamended claim 1 from which it previously depended. Claim 13 was further amended to clarify the claimed invention as discussed above.

Claim 43 was amended, as previously discussed, to overcome an objection to claims 42-43.

Claim 2 was amended to expand the acronym SFP into small form pluggable.

Claim 6 was amended to be consistent with the amendment to independent claim 1 from which it depends.

Claim 7 was amended by rearranging phrases in order to be clearer.

Claim 8 was amended to clarify the structural relationship between the push-actuator and the second actuator.

Claims 2-7, 9, 11, 14-22, 24, 25, 45, 50-52, 55-57, and 59-61 have been amended to correct a grammatical error in the preambles of these claims. The comma after the word "wherein" has been moved to precede it.

Claims 8, 12, 25, 41-44, 49, 53-54, 58, and 62 were also amended to correct a grammatical error in the preambles of these claims. A comma has been inserted prior to the phrase "further comprising".

Claims 14-22 have been further amended to include --rigid-- prior to the phrase "pull-tab" in order to be consistent with the amendment and its use in the first instance in independent claim 13.

Claims 41-44 have been amended to clarify that the elements are coupled to the fiber optic module as a part thereof.

Claims 46 and 48 have had their preambles grammatically corrected by including a comma and preceding "comprising" with the phrase --the method--.

Claim 47 has had its preamble grammatically corrected by including a comma and preceding "comprising" with the word -- further-- in order to better indicate that it is a dependent claim.

Claim 49 has had its preamble grammatically corrected by substituting "A" with --The-- in order to further indicate that it is a dependent claim.

These amendments to these claims were not made for reasons related to patentability.

CONCLUSION

In view of the foregoing it is respectfully submitted that the pending claims are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance of the claims at an early date is solicited.

The Examiner is invited to contact Applicant's undersigned counsel by telephone at (714) 557-3800 to expedite the prosecution of this case should there be any unresolved matters remaining. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

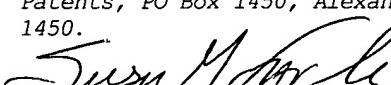
Respectfully submitted,

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